## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

James Hughes, et al., :

Plaintiffs, : Case No. 2:16-cv-153

v. : JUDGE ALGENON L. MARBLEY

Jeanette Arlene Davis, et al., : Magistrate Judge Kemp

Defendants. :

## REPORT AND RECOMMENDATION

As this Court's order of February 29, 2016 reflects, the plaintiffs in this case moved to proceed *in forma pauperis* but that motion was deficient in various respects. Plaintiffs were provided with details as to the information needed to complete their applications. They have never responded to the order.

Because the *in forma pauperis* application remains deficient, the Court recommends that it be denied and that Plaintiffs be given a reasonable amount of time, not to exceed 21 days, to submit the necessary filing fee. It is further recommended that if they do not, the case be dismissed for failure to prosecute.

## Procedure on Objections

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting authority for the objection(s). A judge of this Court shall make a <u>de novo</u> determination of those portions of the report or specified proposed findings or recommendations to which objection is made. Upon proper objections, a judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein,

may receive further evidence or may recommit this matter to the magistrate judge with instructions. 28 U.S.C. §636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the district judge review the Report and Recommendation de novo, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

/s/ Terence P. Kemp United States Magistrate Judge